

engineer, and if not removed by the person or persons placing them thereon they shall be removed under the supervision of the project engineer at his discretion, and the cost of such removal shall be added to the cost of operation and maintenance for the particular tract of land under the project belonging to the persons placing or causing such obstructions to be placed thereon.

#### § 201.14 Fencing.

No fences shall be placed within the right-of-way except those crossing a canal or lateral, and in each case provision shall be made for a gate on each side of the canal or lateral of sufficient width to pass ditch cleaning equipment and to permit travel on the banks of the canal or lateral by the ditchrider. Such gates must be provided with some approved convenient type of fastening which will permit the ditchrider to open and close them with a minimum loss of time. Any wire or timbers used in fencing across a canal or lateral shall not be closer than 12 inches to the maximum high water surface.

#### § 201.15 Water users' ledgers.

Separate entries shall be made in the water users' ledgers for each tract. Bills are issued to the record owner, and payments made thereon are credited to the proper ledger accounts.

#### § 201.16 Assessments.

The annual per acre charge for operation and maintenance shall be levied against the entire irrigable area of each farm unit or allotment to which irrigation water can be delivered from present constructed works. Charges shall become due and payable in accordance with the annual public notice issued each year, and the provisions of the annual notice regarding refusal of delivery of water in case of delinquency shall be enforced.

**CROSS REFERENCE:** For public notice of annual charges, see §§ 221.95, 221.96 of this chapter.

#### § 201.17 Interference with project operation.

No persons other than those specifically designated by the project engineer are authorized to regulate project structures or to interfere in any way with project operated canals or any works appurtenant thereto, or the water flowing therein.

#### § 201.18 Crop and statistical report.

A crop and statistical report on forms furnished for that purpose will be taken each year by the ditchrider or some person authorized to do so. This report will show the number of acres devoted to each crop, total yield and value of crops for each unit of the project and for the entire project.

#### § 201.19 Cooperation between water users and project employees.

Close cooperation between the project water users and the project management is desired, and will work to the advantage of the entire project. Suggestions looking to better or more economical service will be welcomed by the project management. Information as to damage or danger to canals or structures shall be immediately reported to the nearest project employee.

#### § 201.20 Complaints.

All complaints must be made in writing to the project engineer.

#### § 201.21 Disputes.

In case of dispute regarding application of rules and regulations and decisions of the project engineer made pursuant thereto, appeal may be made to the proper supervising engineer who will adjust the matter or refer same to the Commissioner of Indian Affairs whose decision will be final.

### PART 202—PUEBLO INDIAN LANDS BENEFITED BY IRRIGATION AND DRAINAGE WORKS OF MIDDLE RIO GRANDE CONSERVANCY DISTRICT, NEW MEXICO

#### § 202.1 Acreage designated.

Pursuant to the provisions of the act of March 13, 1928 (45 Stat. 312) the contract executed between the Middle Rio Grande Conservancy District of New Mexico and the United States under date of December 14, 1928, the official plan approved pursuant thereto, as modified, and the terms of section 24 of a contract between said parties dated September 4, 1936, dealing among other things with the payment of operation and maintenance and betterment assessments by the United States to the District, and section 24 of a similar contract dated April 8, 1938 executed by the representative of the United States, on this date, it is found that a total of 20,242.05 acres of Pueblo

Indian lands of the Pueblos of Cochiti, Santo Domingo, San Felipe, Santa Ana, Sandia and Isleta is susceptible of economic irrigation and cultivation and is materially benefited by the works constructed by said District. This acreage is designated as follows:

	Acres
Lands with recognized water rights not subject to operation and maintenance or betterment charges by the District and designated as "now irrigated"-----	2,847
Lands classified as "newly reclaimed" lands (exclusive of the purchased area)-----	11,074.4
Lands classified as newly reclaimed lands (the area recently purchased)-----	320.65
Total irrigable area materially benefited-----	20,242.05
(45 Stat. 312) [22 F. R. 10641, Dec. 24, 1957]	

## PART 203—CONCESSIONS, PERMITS AND LEASES ON LANDS WITHDRAWN OR ACQUIRED IN CONNECTION WITH INDIAN IRRIGATION PROJECTS

Sec.	
203.0	Scope.
203.1	Terms used.
203.2	Project engineer's authority.
203.3	Enforcement.
203.4	Permits subject to existing and future rights-of-way.
203.5	Plans, approval thereof.
203.6	Stock grazing.
203.7	Permits, transferable.
203.8	Applications.
203.9	Bonds.
203.10	Payments.
203.11	Supervision of permittees' rates.
203.12	Services from project.
203.13	Permit not a lease.
203.14	Further requirements authorized.
203.15	Permittee subject to State law.
203.16	Reserved area, Coolidge Dam.
203.17	Agricultural and grazing permits and leases.
203.18	Term and renewal of permits.
203.19	Improvements.
203.20	Revocation of permits.
203.21	Notice to vacate.
203.22	Disposition of revenue.
203.23	Organized tribes.

**AUTHORITY:** The provisions of this Part 203 issued under 52 Stat. 193; 25 U.S.C. 390.

**SOURCE:** The provisions of this Part 203 appear at 22 F.R. 10642, Dec. 24, 1957, unless otherwise noted.

### § 203.0 Scope.

The regulations in this part are promulgated governing the granting of concessions, business, agricultural and

grazing leases or permits on reservoir sites, reserves for canals or flowage areas, and other lands withdrawn or otherwise acquired in connection with the San Carlos, Fort Hall, Flathead and Duck Valley or Western Shoshone irrigation projects.

### § 203.1 Terms used.

When used in this part "Secretary" refers to the Secretary of the Interior; "project" to the Federal Indian irrigation project on which concession, lease or permit is granted, and "project engineer" to the engineer in charge of said project.

### § 203.2 Project engineer's authority.

The project engineer is the official charged with the responsibility for the enforcement of this part. He is vested with the authority to issue temporary concession permits to applicants for periods not to exceed 30 days. All except temporary permits shall become effective when approved by the Secretary.

### § 203.3 Enforcement.

The project engineer shall enforce these and all project regulations now or hereafter promulgated by the Secretary. Willful violation or failure to comply with the provisions of this part and all proper orders of the project engineer shall be cause for revocation of the permit by the Secretary who shall be the judge of what constitutes such violation. The project engineer may suspend any permit for cause. The project engineer shall, immediately after suspending a permit, submit to the Secretary through the Commissioner of Indian Affairs a detailed report of the case, accompanied by his reasons for the action and his recommendations, for final action by the Secretary.

### § 203.4 Permits subject to existing and future rights-of-way.

Use by the permittee of any land authorized under this part shall be subject to the right of the Secretary to establish trails, roads and other rights-of-way including improvements thereupon or through the premises, and the right to use same by the public. No interference shall be permitted with the continued use of all existing roads, trails and other rights-of-way and improvements thereon.